

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:95-cr-00178-4MOC

**UNITED STATES OF AMERICA,**

Vs.

**JOHNNY STACEY,**

Defendant.

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**ORDER**

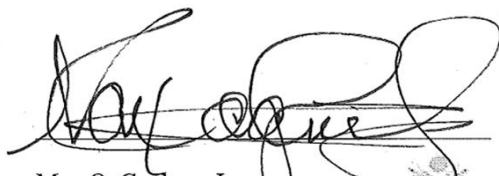
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**THIS MATTER** is before the court on defendant's pro se Motion for Early Termination of Supervision. While 18 U.S.C. § 3583(e)(1) and Rule 32.1, Fed.R.Crim.P., do not place restrictions on who may file a Motion for Early Termination, those requests are typically made by the probation officer supervising the defendant. In this case, defendant has moved on his own behalf and stated that he has had no problems on supervision and incurred no infractions during his lengthy period of incarceration. The court has confirmed the lack of infractions while incarcerated, which is commendable, but cannot confirm defendant's record of compliance without bringing in probation and the government. While the court would typically dismiss such a claim in deference to a request made by a probation officer, the court will entertain this motion as defendant's prison record suggests that further consideration is appropriate. Having considered defendant's pro se motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's pro se Motion for Early Termination of Supervision (#588) is TAKEN UNDER ADVISEMENT, and the government and probation shall file any response or report within 14 days.

Signed: July 2, 2013



Max O. Cogburn Jr.  
United States District Judge